

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREG ABBOTT, in his capacity as
GOVERNOR OF THE STATE OF TEXAS,
and THE STATE OF TEXAS,

Defendants.

Case No. 1:23-cv-00853-DAE

**UNITED STATES' NOTICE REGARDING DEFENDANTS' "MOTION TO EXCLUDE
OR LIMIT THE EXPERT TESTIMONY OF ADRIAN CORTEZ"**

The United States provides the following notice regarding Defendants' June 25, 2024
"Motion to Exclude or Limit the Expert Witness Testimony of Adrian Cortez," ECF 130:

1. At the February 22, 2024 Status Conference, the Court agreed to allow the parties
an opportunity to work out a proposal on the various discovery, expert, and pretrial deadlines.
See ECF 95 at 32:1-24 (February 22, 2024 Status Conference Transcript).

2. On March 1, 2024, the parties submitted a joint motion to enter proposed
discovery and pre-trial. ECF 96. In it, the parties agreed to and proposed several deadlines for
discovery, expert disclosures and reports, and pre-trial filings. *See id.* at 2. On March 5, 2024,
the Court granted the parties' joint motion and entered a scheduling order. ECF 97.

3. For relevant purposes here, the Court set the following deadlines, as the parties
had jointly requested:

- "Friday, July 19: Close of discovery."

- “Friday, July 26: Pre-trial filings due (proposed final pre-trial order, exhibit and witness lists, deposition designations, motions in limine, motions to exclude witnesses, and any proposed fact stipulations).”
- “Friday, August 2: Objections and responses to same are due.”
- “Trial to commence at 9 AM CT on Tuesday, August 6.”

Id. at 2.

4. On June 25, 2024, Texas filed an opposed “Motion to Exclude or Limit the Expert Witness Testimony of Adrian Cortez.” ECF 130.

5. The United States provides this notice that it will file a response to Texas’s motion to exclude—a pre-trial filing contemplated by the Court’s scheduling order—on or before the Court-ordered deadline of Friday, August 2, 2024. In the event any additional motions to exclude witnesses or other motions in limine are filed, the United States hereby gives notice of its reservation of the same rights with the respect to timing of opposition to such additional motions.

Dated: June 26, 2024

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CERTIFICATE OF SERVICE

I certify that on June 26, 2024, a copy of this filing was served on counsel of record through the Court's electronic filing system.

/s/ Bryan J. Harrison

Bryan J. Harrison